

November 4, 2010

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker  
Clerk of Court

FOR THE TENTH CIRCUIT

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In re:

BRIAN DAVID MITCHELL,  
  
Petitioner.

No. 10-4197  
(D.C. No. 2:08-CR-00125-DAK)  
(D. Utah)

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**ORDER**

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Before **TACHA**, **TYMKOVICH**, and **HOLMES**, Circuit Judges.

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Brian David Mitchell has filed a motion to stay his criminal trial pending resolution of his renewed petition seeking a writ of mandamus to compel the district court to transfer his case to another district.

Upon consideration, we GRANT the motion. Trial proceedings shall be temporarily stayed pending this court's review of Mr. Mitchell's mandamus petition.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk